IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.T.SANKARAN

THURSDAY, THE 23RD AUGUST 2007 / 1ST BHADRA 1929

CRP.No. 298 of 2001(A)

(OP.390/1998 of ADDL. DISTRICT COURT, THALASSERY)

REVN. PETITIONER/RESPONDENT:

THE KERALA STATE ELECTRICITY BOARD,
REPRESENTED BY THE SECRETARY, VYDHYUDHI BHAVANAM,
PATTOM, THIRUVANANTHAPURAM-4.

BY ADV. SRI.N.D.PREMACHANDRAN, SC, KSEB
ADV. SRI.C.K.KARUNAKARAN, SC FOR KSEB

RESPONDENT/PETITIONER:

MANIKOTH JANAKI, PARAKKANDI HOUSE,
CHELORA AMSOM, MACHERI DESOM,
P.O. MAWANCHERRI, KANNUR.

BY ADV. SRI.A.MOHAMED MUSTAQUE
ADV. SRI.M.K.SUMOD

THIS CIVIL REVISION PETITION HAVING BEEN FINALLY HEARD ON 23/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER ON I.A.No. 30 OF 2004 IN C.R.P.No. 298 OF 2001.

DISMISSED.

23.08.2007 SD/- K.T. SANKARAN, JUDGE.

/TRUE COPY/

P.A. TO JUDGE.

K.T. SANKARAN, J.

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C.R.P. No. 298 OF 2001

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Dated this the 23rd August, 2007

O R D E R

The Revision is filed by the Kerala State Electricity Board challenging the order in O.P.No. 390 of 1998 on the file of the Addl. District Court, Thalassery.

2. O.P.No. 390 of 1998 was tried and disposed of along with O.P.Nos. 391, 427 and 428 of 1998 and 7 and 109 of 1999. Against the order in O.P. No. 427 of 1998 , C.R.P.No. 2612 of 2002 was filed by the Board, which was disposed of by order dated 21st March, 2005. By the said order, the Revision filed by the Board was partly allowed, reducing the rate of interest from 12% to 9% per annum. In all other respects, the decision of the court below was confirmed.

3. The questions being common, I am of the view that the order in C.R.P.No. 2612 of 2002 can be adopted in this case also. Accordingly, the award of interest at 12% per annum granted by the court below is reduced to 9% per annum. In all other respects, the order passed by the

court below shall stand confirmed.

In the result, the Civil Revision Petition is allowed in part. The interest awarded by the court below at 12% per annum is reduced to 9% per annum. The Civil Revision Petition is dismissed for the rest. No order as to costs.

K.T. SANKARAN,
JUDGE.

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K.T. SANKARAN, J.

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C.R.P. No. 298 OF 2001

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Dated this the 23rd August, 2007

O R D E R